



Date: February 17, 2006
To: Members of the Marine Advisory Commission
From: Mark A. Sandoval, Manager of Marinas and Beaches
Subject: MEETING MINUTES OF FEBRUARY 9, 2006
MARINE ADVISORY COMMISSION (MAC)

Commissioners Present

Richard L. Miller, Chair
Bradley Whyte, Vice Chair
Mike Malbon
Holly Carpenter
Harry Hutton
Randy Crawford
Mike Reed
Peter Hogenson

Commissioners Absent

Dave Calhoun

Marine Bureau Personnel

Mark Sandoval, Manager
Vivian Crook, Secretary

City Staff

Jeff Edwards, Supt. Maint. Oper. Bureau
Paul Wawrzynski, Captain, Marine Safety, LBFD
Dennis Sullivan, Sergeant, Marine Patrol
Juan Gonzalez, Marine Patrol Officer
Avonne Gravel, Admin. Analyst, 3rd Dist.

Guests

Amy Bently-Smith, Grunion Gazette
Don Cobleigh, LBMBOA
Ted Khun
Maria Galang
Jeff Adnoff
Jeff Merrick
William Larkin
Bill Haugh
Dick Perkins
Victor Noiron
Jody Noiron
Kathy Perkins
Theresa Gleason
Tom Gleason
Tom Gilbert
Wayne Ivy
Patrick Jones
Norton Aneberg
Doug Eagerton
Gary Nordyke

Chairman Miller convened the meeting at 2:30 p.m., at the Long Beach Yacht Club.

ROLL CALL

Mark Sandoval called the roll of commissioners and introduced Marine Bureau personnel and City staff. Guests introduced themselves.

Mark Sandoval reported that David Calhoun informed him that he was resigning from the MAC, and that a formal letter would be forthcoming.

CONSENT CALENDAR

The January 12, 2006, MAC minutes were reviewed and approved with a correction on page 2, the second motion regarding Laura Kennedy's slip permit cancellation. The motion should read, "Commissioner Reed **abstained.**"

PUBLIC COMMENT

- None

OLD BUSINESS

- Mark Sandoval stated that he has given Maria Galang one month's extension of stay in the marina and is working with her regarding the cancellation of her slip and permit for non-payment (two strikes) and unseaworthy vessel (one strike).
- Mark Sandoval stated that Jeffrey Adnoff had supplied letters of support that he did not give permission for a woman who was cleaning his boat to live aboard. Mark stated that he was in support of taking one of the strikes off Mr. Adnoff's record, and that he would be able to remain in the marina with two strikes (cancellations) against his permit.

NEW BUSINESS

- Boatowners in Basin 8 spoke to the issue of slip rates for Basin 8 as compared to rates in LBSM. Dick Perkins gave a slide presentation and distributed copies of his presentation to the MAC members. He said that the Basin 8 boatowners are paying unjustly high slip rental fees in Basin 8, and that their rates should be adjusted retroactively to a level consistent with other 50-foot slips under city management. Some comments made by Basin 8 boatowners were: the current makes it difficult for them to get in and out of their slips; the park is unfinished and the dust creates the need to wash their boats often; there is no signage regarding parking; the gate is broken (will not close); homeless people are living under the bridge; the C.P.I. has increased their rates to \$19.35, and the Marina Slip Pricing Strategy requires that "price disparity" be addressed.

Mark Sandoval explained that Basin 8 boatowners accepted slips in Basin 8, not wanting to wait on the Waiting List for ABM or LBSM. He said that he would not allow Basin 8 boatowners to jump in front of those people still on the Waiting List who, when offered Basin 8, turned it down and chose to stay in line for a slip in ABM or LBSM. He said that any changes made now; i.e., fee reduction or retroactive, etc., need to be looked at in light of what would be done to those people who chose to stay where they are.

Mark stated that there are only 58 50-foot slips in LBSM, and that there were not a "ton" of slips being held open. He said that had the slips not been held open for the rebuild, the Bureau would have called to fill them from the Waiting List and Basin 8 individuals would not have been contacted at that time. He stated that there are now more than 100 people on the 50-foot Waiting List. He said that he did give Dick Perkins the Pricing Strategy, but in no way was this a pricing policy or a pricing process. The pricing strategy is not a process; it is a strategy that was developed in open forum with the MAC.

Chairman Miller remarked that benches and a basketball court were part of the original design for the park, but homeowners in the area did not want this type of park. It was decided that a passive park would be designed, possibly without benches.

Mark Sandoval said that the differential is probably longer than it should be, but it is not the same differential that there will be once an adjustment to a new marina rate is done, which is once the LBSM project is complete.

It was moved by Commissioner Malbon and seconded by Commissioner Crawford that the MAC study this issue further at two separate meetings, in order to keep in compliance with the Brown Act. The issue will be brought back before the MAC at the March Commission meeting. The motion passed unanimously.

Rules and Regulations Committee:

Mark Sandoval explained the Committee's recommendation to changes to the following policies:

- The Committee recommended to eliminate "strikes" for non-pay cancellations, using the established escalating re-instatement fee instead, and to implement a "two-strike" rule for all other violations.
- The Committee agreed with a marina vendor identification and enforcement policy where a business license is required, but is recommending no requirement for liability insurance.
- Per existing rules, a slip can only transfer to a surviving spouse or to a former spouse when a court ruling specifies whom the vessel will go to in a divorce. The Committee recommended that the rules stay as they are now - a slip will only revert to a surviving spouse, a registered domestic partner, or a member of a partnership registered with the Marine Bureau.

The MAC gave unanimous support to the above changes to Marina policies.

Commissioner Malbon asked if the policies could be synopsisized and included as a handout with the Marina Rules and Regulations. Mark said that he would review this request.

Sergeant Sullivan suggested that the policies be made available in a PDF file and put on the City's website for easy access.

BUREAU MANAGER'S REPORT

Marina Operations Report

Mark Sandoval gave the report for the Marine Bureau Major Accomplishments, the Monthly Fund Budget Report for ABM/LBSM/RBH, the Total Vessels In and Out by Marina, and the Slip Status Report for the month of January.

Mark Sandoval stated that, as the rebuild continues, the bureau is working off the Waiting List to fill vacancies in every size in the LBSM.

Commissioner Whyte commented on the length of time given to people on the Waiting List to decide if they want a slip, once it's been offered. Mark Sandoval said that the Bureau is not allowing those contacted to take weeks to accept a slip.

Maintenance Operations Report

Jeff Edwards gave the Marine Maintenance status report for the month of January.

- Commissioner Crawford asked about the park area in Basin 8. Jeff Edwards explained that the contractor created a soil issue by contaminating the soil in the park, and that the City is in the process of resolving this problem. He said that a machine is used to bind the soil in the park area to keep the dust down, and that the machine does not drop seed. He said that the fence was put in at the park to make it more difficult for cars to drive through.
- Jeff Edwards said that the Rainbow Lagoon has become a marine habitat, whether intended or not. He said that the best approach to refurbishing the lagoon would be to bulldoze, reconfigure the bottom, and reconstruct it to make the best possible environmental habitat. This would cost between \$1.2 million and \$2.5 million dollars. He said that the Port at times is in need of environmental credits and may be willing to fund the project.

Mark Sandoval said that a CIP project list has been developed and is essentially a wish list of projects that need funding, and this is one of the projects on that list.

- Commissioner Hogensen asked about the problem with the groins at 51st Place on the Peninsula. Jeff Edwards said that they have been deteriorating for some time, and that Public Works is evaluating the damage. He said that the wall has been in place for a number of years and has been eroding and deteriorating over time. He said that dredging has taken place in that basin and, over time, appears to be creating some structural problems with that wall. He said that the wall is not a PRM wall and believes it is private.

Marine Safety Report

Captain Paul Wawrzynski gave the Marine Safety status report for the month of January.

- Captain Wawrzynski noted that cites were down. He said that the DMV renewal period was in process and that there is a grace period given that will be ending shortly.
- Lifeguards received two sonar units, purchased with grant monies. One is a side scanner sonar and the other is a drop down scanning sonar.
- Captain Wawrzynski reported on a "man overboard" at the Los Angeles Light. The boat ended up on Catalina Island. Lifeguards responded with a paramedic on board, met up with the boat that had picked up the man off the LA Light, started a re-warming process, and brought him in.
- The Queen Mary II is en-route to Long Beach and should arrive Thursday, February 23.

Marine Patrol Report

Sergeant Dennis Sullivan reported on Marine Patrol activities for the month of January.

- Sergeant Sullivan introduced Marine Patrol Officer Juan Gonzales. Officer Gonzales has been with the City for five years.
- Sergeant Sullivan remarked that changing certain Marina Rules into ordinances should be considered so that LBPd can enforce them. He explained that a violation of a rule only allows the Manager to cancel the person, however an ordinance allows the LBPd to issue a citation or arrest the person. Commissioner Malbon agreed that some rules should be changed into ordinances, and that the Rules and Regulations Committee should look at this. Sergeant Sullivan said that he would be available to attend the committee meetings when requested to by the MAC.
- CIP monies were set aside to fund an officer at RBH.
- Marine Patrol has a new hire starting on March 3, and two spots are still open.
- Marine Patrol caught a hit and run injury suspect. The incident occurred in Seal Beach. The suspect was caught wandering ABM.
- Officer Gonzales caught two auto burglary suspects with their tools and the stolen goods.
- LBPd beach patrols on quad runners will begin June 15 through September 15, from 11 a.m. to 7 p.m., with Tuesday and Wednesday dark.
- Commissioner Reed said that he heard Katrina Hurricane victims being housed (by FEMA) at the Seaport Marina Hotel have caused problems in the area. Sergeant Sullivan said that there have been some problems in the area, but not much in the marina.

Executive MAC

- The MAC Annual Report will be on next month's MAC Agenda.

Operations Committee

- All items covered.

Facilities Committee

- Commissioner Reed reported that the Beach Re-nourishment Project will start on February 20.
- Commissioner Reed said that the Lennar Corporation met regarding traffic patterns for the restaurant proposal. He said that the promenade and ingress/egress on Marina Drive is still being discussed, and that there are still no plans for an extra rest room. The preliminary study is not out yet.

Mark Sandoval said that he was on a conference call regarding the restaurant. He said that Community Development made it clear that the City will insist that traffic and parking for both projects (the hotel and the restaurant) be considered as one. The Lennar Group would like to meet with the Facilities Committee next month, and also come before the MAC to discuss the project.

Chairman Miller commented that questions regarding the bike path have not been answered.

Finance Committee

- Commissioner Hutton said that the Committee wanted more time to discuss the finance report and would hold a separate meeting in the next month.
- Mark Sandoval said that he would provide rebuild cash flow statements and maintenance expense history to the MAC.
- Mark Sandoval said that the Ice Dog subsidy ends in 2008, and that they want to re-up their contract. He said that this issue is at the City Manager level. The Ice Dogs are subsidized by the Tidelands Fund.
- Mark Sandoval responded to a question about the DBW loan and explained that the DBW loan is a 4.5 percent loan for 30 years, which equals to about \$65,000 for every million that is borrowed.

COMMENTS FROM THE AUDIENCE

- Don Cobleigh stated that the only working pump-out, that he knows of, is at the ABM office dock, and that there are a lot of boats out in front making it difficult for boatowners to use the pump-out.

COMMENTS FROM COMMISSIONERS

- None

ADJOURNMENT

Meeting adjourned at 5:15 p.m. The next meeting is set for March 9, 2006, at 2:30 p.m. at the Long Beach Yacht Club.